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Notice of Allowability

Application No.

10/774,654

Applicant(s)

SERGI, PAUL D.

Examiner

Hoang V. Nguyen

Art Unit

2821

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to phonecon on 11/8/05 and affidavit filed 11/2/05.
2. ☒ The allowed claim(s) is/are 1-29.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 11/8/05.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.



**HOANG V. NGUYEN
PRIMARY EXAMINER**

Response to Amendment

1. The affidavit under 37 CFR 1.132 filed 2 November 2005 is sufficient to overcome the rejection of claims 1-5 and 9-12 based upon the inherent function as discussed under MPEP 2163.07(a).

Examiner's Amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Edward Greive on 8 November 2005.

3. The application has been amended as follows:

Delete claim 1 and replace with:

1. An antenna comprising a conductive mast, a conductive block carried by the mast, a plurality of bores extending through the block, and conductive rods slidably received in at least some of said bores.

Delete claim 6 and replace with:

6. An antenna of claim 5 wherein each said bore forms opposed apertures in said block, said apertures being approximately 120 degrees of each other.

The examiner's amendment was done in order to overcome prior art rejection as well as delete redundant limitations.

Allowable Subject Matter

4. Claims 1-29 are allowed.

5. The following is an examiner's statement of reasons for allowance:

Regarding claim 1, Kallina (US 6,313,800) discloses an antenna comprising a mast, a block carried by the mast, a plurality of bores extending through the block; and conductive rods slidably received in at least some of the bores. Kallina fails to specifically teach that both the mast and the block are conductive. Rauch discloses an antenna comprising a conductive mast, a conductive block carried by the mast; a plurality of bores; and conductive rods threadably received in at least some of the bores. Rauch fails to specifically teach that the plurality of bores extending through the conductive block. There is no strong motivation to combine the antenna of Kallina and Rauch to produce the antenna as claimed in the instant invention.

Claims 2-6 and 9-12 are allowed for depending on claim 1.

Regarding claims 7 and 8, neither Kallina nor Rauch, either taken alone or in combination, fairly teaches or suggests, among other features, a first set of three axially spaced bores extending chordally through the block, and the conductive rods slidably received in at least some of the bores.

Reasons for indicating allowable subject matter for claims 13-29 were provided in the previous Office action.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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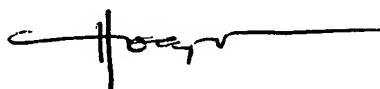
Inquiry

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoang V. Nguyen whose telephone number is (571) 272-1825. The examiner can normally be reached on Mondays-Fridays from 9:00 a.m. to 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoang Nguyen can be reached on (571) 272-1825. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hvn
11/8/05



HOANG V. NGUYEN
PRIMARY EXAMINER